

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MAR 22 2017

UNITED STATES OF AMERICA

§
§

v.

§
§

NO. 6:17CR 23

JUDGE RC/KNM

MARIO ESPINOZA DE LA FUENTE (01) §

VANESSA ZAMORA (02)

§

FILED UNDER SEAL

BY
DEPUTY _____

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 21 U.S.C. § 846

(Conspiracy to Possess with Intent to
Distribute Methamphetamine)

Beginning at a time unknown to the Grand Jury and continuing up to and through August 17, 2016, in Smith County, Texas, in the Eastern District of Texas and elsewhere, **Mario Espinoza De La Fuente** and **Vanessa Zamora**, defendants charged herein, did knowingly and intentionally, conspire, confederate, and agree with one another, and others, known and unknown to the grand jury, to violate a law of the United States, to wit, 21 U.S.C. § 841(a)(1), prohibiting the knowing and intentional possession, with intent to distribute, a controlled substance; to-wit: approximately 23 grams or more of methamphetamine (actual), its salts, isomers, and salts of isomers, all in violation of 21 U.S.C. § 846.

Count Two

Violation: 21 U.S.C. § 841(a)(1)
(Possession with Intent to Distribute
Methamphetamine)

On or about August 17, 2016, in Smith County, Texas, in the Eastern District of Texas, **Vanessa Zamora**, defendant herein, did knowingly and intentionally possess with intent to distribute a Schedule II controlled substance, namely approximately 23 grams or more of methamphetamine (actual), its salts, isomers, and salts of isomers, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Count Three

Violation: 21 U.S.C. § 863(a)(1)
(Sale of Drug Paraphernalia)

On or about August 17, 2016, in Smith County, Texas, in the Eastern District of Texas, **Mario Espinoza De La Fuente**, defendant herein, did knowingly sell, and offer to sell, drug paraphernalia, to-wit: equipment primarily intended and designed for use in concealing an unlawful, controlled substance, in violation of 21 U.S.C. §§ 863(a)(1) and 863(b).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 21 U.S.C. § 853, 18 and 28 U.S.C. § 2461(c)

As the result of committing one or more of the foregoing offenses alleged in this indictment, the defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c):

1. Any property constituting, or derived from, and proceeds the defendants obtained, directly or indirectly, as the result of such violation(s);
2. Any of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations, including but not limited to the following:

Real Property:

Lot 13A, Block 6340, Herndon Addition, City of Tyler, Texas
PIN Number R057705
Account Number 1-50000-0634-00-013010

Also known as: 221 South Englewood Avenue, Tyler, Texas 75702

Cash Proceeds:

\$10,000.00 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations.

Substitute Assets

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;


- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal, owned by the defendants.

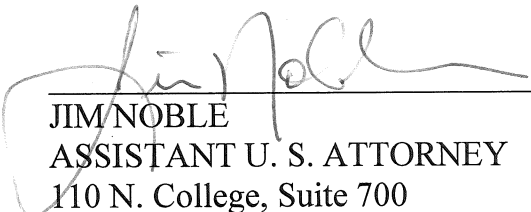
By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c).

3/22/17
Date

A TRUE BILL,


Foreperson of the Grand Jury

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY


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v. § NO. 6:17CR____
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NOTICE OF PENALTY

Counts One and Two

Violation: 21 U.S.C. §§ 846, 841(a) (1) and 841(b)(1)(B)(viii)
 (Conspiracy to Distribute Methamphetamine)

Penalty: Not less than 5 years or not more than 40 years imprisonment, a
 fine not to exceed \$5 million - supervised release of at least 4
 years;

Special Assessment: \$100

Count Three

Violation: 21 U.S.C. § 863(a)(1)
 (Sale of Drug Paraphernalia)

Penalty: Imprisonment not more than three (3) years, a fine of up to
 \$250,000.00, or both; a term of supervised release of at least two
 (2) years. 21 U.S.C. § 863(b)

Special Assessment: \$100